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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,717

12/16/2003

Kiyoshi Kato

0756-7230

5660

31780

7590

06/06/2006

ERIC ROBINSON

PMB 955

21010 SOUTHBANK ST.

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EXAMINER

PRENTY, MARK V

ART UNIT

PAPER NUMBER

2822

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 10/735,717	Applicant(s) KATO, KIYOSHI	
	Examiner MARK PRENTY	Art Unit 2822	

All participants (applicant, applicant's representative, PTO personnel):

- (1) App. Rep. Robert Pilaud (Reg. No. 53,470). (3)_____.
- (2) Primary Examiner Mark Prenty. (4)_____.

Date of Interview: 23 May 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1 and 17.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: A proposed Rule 312 amendment was discussed (see attachment). The examiner indicated that although the proposed amendment to claim 1 was acceptable, the proposed amendment as a whole would not be entered because the proposed amendment to independent claim 17 changes the scope of the claim.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Mark V. Prenty
Primary Examiner

Mark Prenty
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

**ROBINSON INTELLECTUAL PROPERTY LAW OFFICE**

PATENTS · TRADEMARKS · COPYRIGHTS

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May 23, 2006

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FACSIMILE COVER SHEET

To:	Examiner Prenty	From:	Robert L. Pilaud, Reg. No. 53,470
Facsimile Number:	571-273-1843	Telephone No.	571-272-1843
Number of Pages (including cover sheet):	2		

In re Patent Application of:

Kiyoshi KATO

Serial No. 10/735,717

Filed: December 16, 2003

For: SEMICONDUCTOR MEMORY ELEMENT, SEMICONDUCTOR MEMORY
DEVICE AND METHOD OF FABRICATING THE SAME

Docket No.: 0756-7230

Mr. Prenty,

Thank you for taking the time to discuss the above-referenced application via telephone this morning. I appreciate your time on this matter on such short notice.

Per our discussion, attached is a proposed *Rule 312 Amendment* of claims 1 and 17. Once you have had an opportunity to review these proposed changes, please give me a call so we may discuss in greater detail.

Sincerely,

Rob Pilaud

A handwritten signature in black ink, appearing to read "Rob Pilaud", written in a cursive style.

- 2 -

Application Serial No. 10/735,717
Attorney Docket No. 0756-7230

1. (Currently Amended) A semiconductor memory element comprising a semiconductor active layer comprising a channel region and one conductive type impurity region, a first gate insulating film, a charge accumulating layer, a second gate insulating film, and a control gate electrode,

wherein the semiconductor memory element is formed over a substrate having an insulating surface;

wherein the semiconductor active layer is a polycrystal semiconductor film;

wherein a grain boundary of a crystal grain in the polycrystal semiconductor film is flat or formed with a recessed portion; and

wherein a surface roughness of the channel region is 0.1 nm through 60 nm in a P-V value.

17. (Currently Amended) A semiconductor memory element comprising a semiconductor active layer comprising a channel region and one conductive type impurity region, a first gate insulating film, a charge accumulating layer, a second gate insulating film, and a control gate electrode,

wherein the semiconductor memory element is formed over a substrate having an insulating surface;

wherein the channel region is a crystallized polycrystal semiconductor film;

wherein the ~~semiconductor active layer is a~~ crystallized polycrystal semiconductor film is constituted by aggregating a plurality of crystal grains elongated in the same direction; and

wherein a grain boundary of a crystal grain in the polycrystal semiconductor film is flat or formed with a recessed portion.